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James I. Stang, Esq. (CA Bar No. 94435)  
 Shirley S. Cho, Esq. (CA Bar No. 192616)  
 Werner Disse, Esq. (CA Bar No. 143458)  
 Pachulski Stang Ziehl & Jones LLP  
 10100 Santa Monica Blvd., 11th Floor  
 Los Angeles, California 90067-4100  
 Telephone: 310/277-6910  
 Facsimile: 310/201-0760  
 Email: jstang@pszjlaw.com  
 scho@pszjlaw.com  
 wdisse@pszjlaw.com

Zachariah Larson, Esq. (NV Bar No. 7787)  
 LARSON & STEPHENS  
 810 S. Casino Center Blvd., Ste. 104  
 Las Vegas, NV 89101  
 Telephone: 702/382.1170  
 Facsimile: 702/382.1169  
 Email: zlarson@lslawnv.com  
 [Proposed] Attorneys for Debtors and  
 Debtors in Possession

# UNITED STATES BANKRUPTCY COURT

## DISTRICT OF NEVADA

In re:

Case No.: BK-S-09-14814-LBR  
 (Jointly Administered)

THE RHODES COMPANIES, LLC, aka  
 "Rhodes Homes, et al.,<sup>1</sup>

Chapter 11

Debtors.

<sup>1</sup> The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

Affects:

☒

All Debtors

☐

Affects the following Debtor(s)

Hearing Date: June 5, 2009

Hearing Time: 1:30 p.m.

Courtroom 1

**NOTICE OF ENTRY OF ORDER**

**TO: ALL INTERESTED PARTIES:**

YOU ARE HEREBY NOTICED that an Order Granting Application Authorizing Debtors Pursuant to 11 U.S.C. § 327(a) to Employ Sullivan Group Real Estate Advisors as Market Research Consultant *Nunc Pro Tunc* to the Petition Date [Docket No. 230], was entered on June 15, 2009. A copy of the Order is attached hereto.

**DATED** this 16th day of June, 2009.

**LARSON & STEPHENS**

/s/ Zachariah Larson, Esq.

Zachariah Larson, Bar No. 7787

Kyle O. Stephens, Bar No. 7928

810 S. Casino Center Blvd., Suite 104

Las Vegas, NV 89101

Attorneys for Debtor

LARSON & STEPHENS  
810 S. Casino Center Blvd., Suite 104  
Las Vegas, Nevada 89101  
Tel: (702) 382-1170 Fax: (702) 382-1169



Entered on Docket  
June 15, 2009

Hon. Linda B. Riegle  
United States Bankruptcy Judge

James I. Stang, Esq. (CA Bar No. 94435)  
Shirley S. Cho, Esq. (CA Bar No. 192616)  
Werner Disse, Esq. (CA Bar No. 143458)  
PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Blvd., 11th Floor  
Los Angeles, California 90067-4100  
Telephone: 310/277-6910  
Facsimile: 310/201-0760  
Email: jstang@pszjlaw.com  
scho@pszjlaw.com  
wdisse@pszjlaw.com

Zachariah Larson, Esq. (NV Bar No. 7787)  
LARSON & STEPHENS  
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Las Vegas, NV 89101  
Telephone: 702/382.1170  
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THE RHODES COMPANIES, LLC, aka  
"Rhodes Homes," et al.,<sup>1</sup>

Chapter 11

Debtors.

Affects:

☒ All Debtors

☐ Affects the following Debtor(s)

Hearing Date: June 5, 2009

Hearing Time: 1:30 p.m.

Courtroom 1

**ORDER GRANTING APPLICATION AUTHORIZING DEBTORS PURSUANT TO 11  
U.S.C. § 327(a) TO EMPLOY SULLIVAN GROUP REAL ESTATE ADVISORS AS  
MARKET RESEARCH CONSULTANT *NUNC PRO TUNC* TO THE PETITION DATE  
[Docket No. 155]**

Upon consideration of the application (the "Application") to employ Sullivan Group Real Estate Advisors ("Sullivan") as market research consultant [Docket Number 155] filed by the Debtors,<sup>2</sup> the Court having reviewed the Application, the March 31, 2009 Engagement Letter between the Debtors and Sullivan (the "Engagement Letter"), and the Declaration of Timothy Sullivan [Docket Number 156]; there having been no objection to the Application; the Court finding that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and reference from the District Court pursuant to 28 U.S.C. § 157; (b) notice of the Application and the hearing on the Application was sufficient under the circumstances; (c) the Court having determined, to the extent of the record before it, that Sullivan is a "disinterested person" pursuant to § 101(14) of the Bankruptcy Code; and (d) the Court having determined that the legal and factual bases set forth in the Application and the Sullivan Declaration establish just cause for the relief granted herein;

**IT IS HEREBY ORDERED THAT:**

1. The Application shall be, and hereby is, GRANTED.
2. The Debtors are authorized to retain and employ Sullivan as market research consultant at the expense of the chapter 11 estates, pursuant to section 327(a) of the Bankruptcy Code, Bankruptcy Rules 2014, 2016 and 5002 and the terms set forth in the Application and the Engagement Letter, *nunc pro tunc* to the Petition Date.


<sup>2</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Application.

3. Sullivan shall file applications in accordance with sections 330 and 331 of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, and such other procedures as may be fixed by order of this Court. To the extent that those applications are approved by this Court after notice and a hearing, Sullivan shall be compensated for its services, and be reimbursed for any reasonable, related expenses.

4. This order is entered without prejudice to the rights of any party in interest, including the United States Trustee, to oppose Sullivan's fee applications when they are filed on any appropriate grounds, including oppositions challenging Sullivan's status as a "disinterested person." This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

DATED this 5th day of June 2009.

APPROVED/DISAPPROVED

By:   
August B. Landis, Assistant United States Trustee  
300 Las Vegas Blvd. S., Ste. 4300  
Las Vegas, NV 89101  
Attorney for Sara L. Kistler, Acting United States Trustee for Region 17

Submitted by:

By: /s/ Zachariah Larson  
LARSON & STEPHENS  
Zachariah Larson, Esq. (NV Bar No 7787)  
Kyle O. Stephens, Esq. (NV Bar No. 7928)  
810 S. Casino Center Blvd., Ste. 104  
Las Vegas, NV 89101  
(702) 382-1170 (Telephone)  
(702) 382-1169  
zlarson@slawnv.com  
Attorneys for Debtors

LARSON & STEPHENS  
810 S. Casino Center Blvd., Suite 104  
Las Vegas, Nevada 89101  
Tel: (702) 382-1170 Fax: (702) 382-1169

**LR 9021 CERTIFICATION**

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below:

NAME	DATE CONTACTED	AGREE	DISAGREE	NO RESPONSE
August B. Landis U.S. Trustee	06/08/09	<u>  X  </u>	<u>          </u>	<u>          </u>

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